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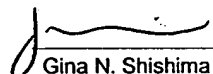
September 8, 2004

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

September 8, 2004

Date


Gina N. Shishima

MS AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SEP 14 2004

TECH CENTER 1600/2900

RE: *U.S. Patent Application No. 09/660,568 entitled "DIAGNOSIS OF DISEASE STATE USING MRNA PROFILES IN PERIPHERAL LEUKOCYTES" – David Ralph et al.*
Our reference: UROC:014USD1

Sir:

Enclosed for filing in the above-referenced patent application is a Supplemental Information Disclosure Statement, Form PTO-1449, references A8, B3-B6, and C72-C84, and copy of foreign communication.

No fees are believed to be due in connection with the filing of this Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UROC:014USD1.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,



Gina N. Shishima
Reg. No. 45,104

GNS/kmv
Encl.: as noted



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
David Ralph et al.

Serial No.: 09/660,568

Filed: September 11, 2000

For: DIAGNOSIS OF DISEASE STATE USING
MRNA PROFILES IN PERIPHERAL
LEUKOCYTES

Group Art Unit: 1635

Examiner: Sean McGarry

Atty. Dkt. No.: UROC:014USD1

SEP 14 2004

TECH CENTER 1600/230

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| September 8, 2004 | |
| Date | Gina N. Shishima |

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MS AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R §§ 1.97(g), (h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be

construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This application is a divisional application of Serial No. 09/046,894, filed March 24, 1998 and is relied upon for an earlier filing date under 35 U.S.C. § 120. In accordance with Rule 37 C.F.R. § 1.98(d) only copies of those documents not previously cited and submitted to the Patent and Trademark Office in prior application Serial No. 09/046,894 are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. § 1.97(e)(1), Applicants hereby certify that each item of information contained in this Supplemental Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present statement, as evidenced by the date of the enclosed search report.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Gina N. Shishima
Reg. No. 45,104
Attorney for Applicants

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Austin, Texas 78701
(512) 474-5201

Date: September 8, 2004

Form PTO-1449 (modified)Atty. Docket No.
UROC:014USD1Serial No.
09/660,568

List of Patents and Publications for Applicant's

Applicants
David Ralph *et al.***INFORMATION DISCLOSURE STATEMENT**

TECH CENTER 1600/2900

(Use several sheets if necessary)

Filing Date:
September 11, 2000Group:
1635U.S. Patent Documents
*See Page 1*Foreign Patent Documents
*See Page 1*Other Art
*See Page 1***U.S. Patent Documents**

| Exam. Init. | Ref. Des. | Document Number | Date | Name | Class | Sub Class | Filing Date if App. |
|-------------|-----------|-----------------|---------|---------------------|-------|-----------|---------------------|
| | A8 | 5,543,296 | 8/06/96 | Sobol <i>et al.</i> | 435 | 6 | 12/16/94 |

Foreign Patent Documents

| Exam. Init. | Ref. Des. | Document Number | Date | Country | Class | Sub Class | Translation Yes/No |
|-------------|-----------|-----------------|---------|---------|-------|-----------|--------------------|
| | B3 | WO 96/17080 | 6/06/96 | PCT | | | English |
| | B4 | WO 96/21671 | 7/18/96 | PCT | | | English |
| | B5 | WO 98/10098 | 3/12/98 | PCT | | | English |
| | B6 | WO 99/15658 | 4/01/99 | PCT | | | English |

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

| Exam. Init. | Ref. Des. | Citation |
|-------------|-----------|--|
| | C72 | Berghella <i>et al.</i> , "Prognostic significance of immunological evaluation in colorectal cancer," <i>Cancer Biotherapy & Radiopharmaceuticals</i> , 11(6):355-361, 1996. |
| | C73 | Brew <i>et al.</i> , "Detection of interleukin-8 mRNA and protein in human colorectal carcinoma cells," <i>European J. Cancer</i> , 32A(12):2142-2147, 1996. |
| | C74 | Edmonds <i>et al.</i> , "Elongation factor 1 α is an overexpressed actin binding protein in metastatic rat mammary adenocarcinoma," <i>J. Cell Science</i> , 109:2705-2714, 1996. |
| | C75 | Ferrer <i>et al.</i> , "Cytokine regulation of angiogenesis factors in human prostate cancer," <i>Proceedings of the American Urological Association</i> , 135:163, 1996. |
| | C76 | Greene <i>et al.</i> , "Correlation of metastasis-related gene expression with metastatic potential in human prostate carcinoma cells implanted in nude mice using an in situ messenger RNA hybridization technique," <i>American Journal of Pathology</i> , 150(5):1571-1582, 1997. |
| | C77 | Gutman <i>et al.</i> , "Regulation of interleukin-8 expression in human melanoma cells by the organ environment," |

25450441.1

Examiner:

Date Considered:

EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Information Disclosure Statement — PTO-1449 (Modified)

A: 163327(25450441_1.DOC)

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|--|--|--|---------------------------------|
| Form PTO-1449 (modified) | | Atty. Docket No. UROC:014USD1 | Serial No. 09/660,568 |
| List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | | Applicants David Ralph <i>et al.</i> | |
| | | Filing Date: September 11, 2000 | Group: 1635 |
| U.S. Patent Documents <i>See Page 1</i> | Foreign Patent Documents <i>See Page 1</i> | Other Art <i>See Page 1</i> | |

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

| Exam. Init. | Ref. Des. | Citation |
|-------------|-----------|--|
| | C78 | Heller <i>et al.</i> , "Discovery and analysis of inflammatory disease-related genes using cDNA microarrays," <i>Proc. Natl. Acad. Sci., USA</i> , 94:2150-2155, 1997. |
| | C79 | Isaacs, "Molecular markers for prostate cancer metastasis: developing diagnostic methods for predicting the aggressiveness of prostate cancer," <i>American J. Pathology</i> , 150(5):1511-1521, 1997. |
| | C80 | Nagase <i>et al.</i> , "Prediction of the coding sequences of unidentified human genes. VI. The coding sequences of 80 new genes (KIAA0201-KIAA0280) deduced by analysis of cDNA clones from cell line KG-1 and brain," <i>DNA Research</i> , 3:321-329, 1996. |
| | C81 | Pencil <i>et al.</i> , "Candidate metastasis-associated genes of the rat 13762NF mammary adenocarcinoma," <i>Breast Cancer Research and Treatment</i> , 25:165-174, 1993. |
| | C82 | Ueda <i>et al.</i> , "Serum levels of cytokines in patients with colorectal cancer: possible involvement of interleukin-6 and interleukin-8 in hematogenous metastasis," <i>J. Gastroenterol.</i> , 29:423-429, 1994. |
| | C83 | Wellstein <i>et al.</i> , "Growth factors as targets in tumor therapy," <i>International J Pharmacology</i> , 33:35-47, 1995. |
| | C84 | Zhang and Zhang, "Rapid identification of differentially expressed RNA transcripts in apoptotic T lymphocytes," <i>J. Immunological Methods</i> , 195:113-123, 1996. |

25450441.1

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|---|-------------------------|
| Examiner: | Date Considered: |
| EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

Information Disclosure Statement — PTO-1449 (Modified)